



City of Manchester
Planning & Community Development
One City Hall Plaza-West Wing
Manchester, NH 03101
(603) 624-6475
www.manchesternh.gov

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director Planning & Zoning

Michael J. Landry, PE, Esq.
Deputy Director Building Regulations

SEP 21 2020

VARIANCE CRITERIA

Complete this form and attach 10 copies along with any supplemental material that would support your appeal.

Deadline for Next Hearing: _____

Property Location: 1345 Front Street Manchester

Owner: Kirstin Kochanek

Address: 1345 Front St.

Phone #: 603.344.1003

Manchester NH 03102

Email: KirstinKK2@gmail.com

Applicant: Kirstin Kochanek

Address: 1345 Front St.

Phone #: 603.344.1003

Manchester NH 03102

Email: KirstinKK2@gmail.com

Relief Sought From Section(s): _____

1. The variance would not be contrary to the public interest because: Attached

2. The spirit of the ordinance is observed because: _____

3. Substantial justice would be done because: _____

4. The values of surrounding properties would not be diminished because: _____

5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship if:

(A) Owing to the following special conditions of the property that distinguish it from other properties in the area:

- i. No fair and substantial relationship exists between the general purposes of the ordinance provisions and the specific application of that provision to the property; and
- ii. The proposed use is a reasonable one.

Or (B) Owing to the following special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Kirstin Kochanek
Applicant Signature

Kirstin Kochanek 8/30/20
Print Name Date

ATTACHMENT TO VARIANCE

SEP 21 2020

I, Kirstin Kochanek, am the record owner of the property known as 1345 Front Street, Manchester, New Hampshire (the "Property"). The Property is identified in the City of Manchester assessing as Tax Map 768, Lot 35. The Property is located in the R-1B zoning district.

I am proposing to build a 2 car garage (28ft x 26ft) with an In-Law above. The property at 1345 Front Street is the primary residence and will remain as such. The current garage was built approximately 80 years ago and is in desperate need of being replaced. My parents are aging and want to relocate to New Hampshire from Virginia to be closer to me and my children. With the recent effects of COVID, my 2 college aged children have moved back home and our family needs more than 827 sq ft to accommodate 3+ adults. There is also a need for safe storage of belongings above the floodplain.

This is a unique property and I am proposing a very reasonable building that will match properties to the north and south of 1345 Front Street which also have detached accessory dwellings (ADUs).

Additionally, the new Exit 7 configuration will potentially create a private or limited access road for 1345 Front Street.

<http://www.293planningstudy.com/planningstudy-documents.asp>

These pictures show you the property when I purchased it in October 2017, during the process and as it stands today.



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City of...
PLANNING & COMMUNITY DEVELOPMENT

SEP 21 2020

ARGUMENT-VARIANCES

1. The proposed use would not diminish surrounding property values because:

The grant of the variance would not diminish surrounding property values. The property is located within the R-1B district. Our understanding is that this district recently voted in favor of allowing accessory dwelling units. This would not be the only accessory structure (ADU) within 5 properties to the north and south. The property is not the only lot with this type of structure in close proximity to the Merrimack River.

2. Granting the variance would not be contrary to the public interest and would not be contrary to the spirit of the ordinance because:

The grant of the variance would not be contrary to the public interest. More specifically, the proposed variance will not unduly conflict with the purposes of the zoning ordinance by altering the essential character of the area or threatening the public health, safety or welfare.

Setbacks generally serve to prevent overcrowding and to protect the integrity of a natural resource. The property lies on the Merrimack River and therefore there are no other buildings or structures toward the back of the property. In short, overcrowding will not be an issue if the variance is granted. In terms of the setback, a structure has been situated within the setback for almost 80 years. The variances will allow for the structure to be replaced with new materials and systems such that the structure will not further deteriorate to the potential detriment of the wetlands (ie. the river environs).

Additionally and alternatively, the essential character of the area will not be altered by the variances. We are simply seeking to maintain a vested right. The garage, which it seeks to replace was built around 1937. The existing garage on the property is NOT the only structure in the area in close proximity to the Merrimack River.

3. Granting the variance would not be contrary to the spirit of the ordinance because:

For the same reasons set forth with respect to the public interest element, granting the variances would not be contrary to the spirit of the ordinance.

Asking for Variance for:

Rear setback (6.03B) 18' to structure where 30' is required. Current structure is 20' from reference line.

Accessory structure located in the side yard (8.29) 728 sq ft where 600 sq ft is allowed and 30 ft in height where 15 ft is allowed.

Accessory Dwelling Unit -ADU (8.26A)

Conditions and limitations to occupancy

- a. One per home. Proposed ADU is and will be the only structure other than the residence
- b. Owner occupied. The owner and/ her mother and/or children will occupy proposed ADU
- c. Two bedroom maximum. One bedroom is proposed
- d. Parking. There is an additional space for the proposed 1 bedroom
- e. Adequate water disposal. Will be connected to city sewer
- f. Design and structure. Exterior design and construction shall be consistent with that of the primary structure
- g. Conditional use permit. Application in process
- h. Impact fees required. \$1500 fee will be paid

4. Denial of the variance would result in unnecessary hardship to the owner owing to the special conditions of the land because:

- A. No fair and substantiation relationship exists between the general public purposes of the ordinance and the specific application to the Property.

The configuration of the property gives rise to a hardship. The Property is approximately 98 feet wide at its widest point along its northerly boundary. That portion of the Property is encumbered by another non-conforming structure, the house. As noted above, setback requirements generally serve to prevent overcrowding or, in the case of shoreland setback, preserve a natural resource. There are no structures towards the rear of the Property as the Merrimack River bounds the Property to the east. A residence and detached garage has existed at their present locations for approximately eighty years without incident. The proposed rebuild would serve to improve the use of the garage. State laws serving to protect the Merrimack River allow for this project. In short, due to special conditions of the Property, there is no fair and

substantial relationship between the general public purposes of the ordinance and their application to the Property.

B. The proposed use is reasonable:

The proposed use is reasonable. Detached accessory dwelling units were recently approved by the district.

C. Alternative hardship finding:

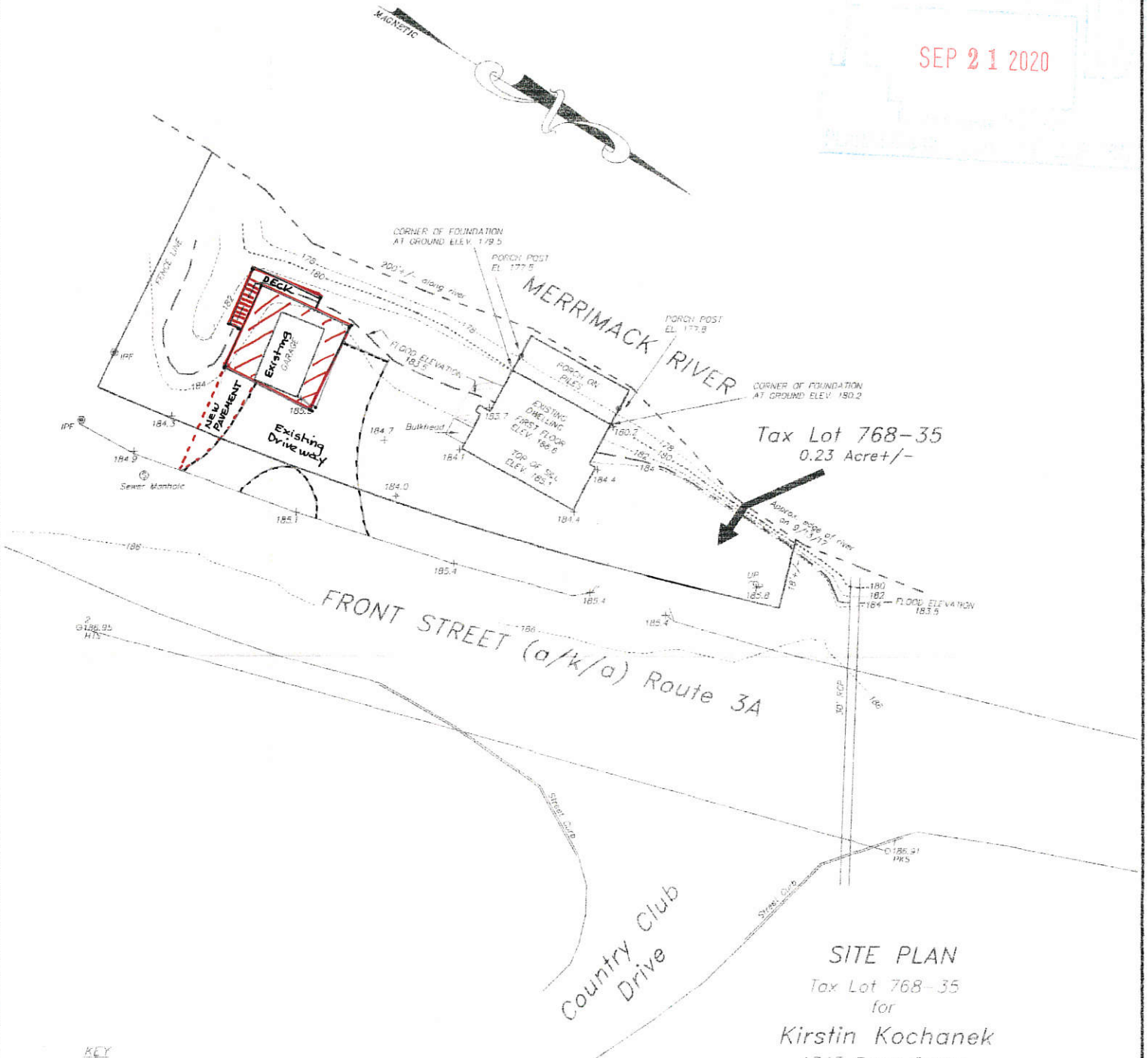
Variances have historically served as a safety valve to avoid taking claims. I have a vested right with respect to the Property which has occupied the same site for decades. The use of a regulation to deprive a person of a vested right is a taking under the New Hampshire and federal constitutions and, therefore, the variance would serve to avoid a *taking by the City*.

5. By granting the variance substantial justice would be done because:

The loss to the applicant, in the event the variance is denied outweighs any gain to the general public. Substantial justice would be done by granting the requested variances.

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SITE PLAN

Tax Lot 768-35
for

Kirstin Kochanek

1345 Front Street

(formerly 1154 Front Street)

Manchester, NH Hillsborough County

EDM & Theodolite Survey

Control Traverse: 1/10,000+

Scale: 1"=20' October 2017 Revised

Notebook #240 Job #2270 Nov 2017
Feb 2018

Prepared by:

ARTHUR F. SICILIANO JR.

Land Surveyor

Sewage Disposal System Designer

52A HALL AVENUE, HENNIKER, NH 03242

603-529-2857 / 603-491-0711

KEY

- SP Minimum Building Setback Line
- UP - Utility Pole
- IPS - Iron Pipe Set
- IPF - Iron Pipe Found
- IRS - Iron Rod Set w/ Cap
- IRP - Iron Rod Found
- DHS - Drill Hole Set
- DHF - Drill Hole Found
- M/D/H - Magnetic Nail in Drill Hole Set
- 768-35 Map/Lot

REVISIONS

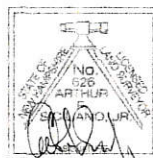
- 11/8/17 - Revised elevations for correct flood zone location
- 2/26/18 - Revised elevations for first floor and all after construction

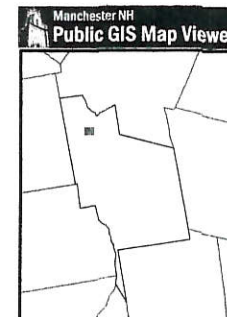
Topography instrument determined by this office.
Datum - assumed

GRAPHIC SCALE



(IN FEET)
1 inch = 20 feet





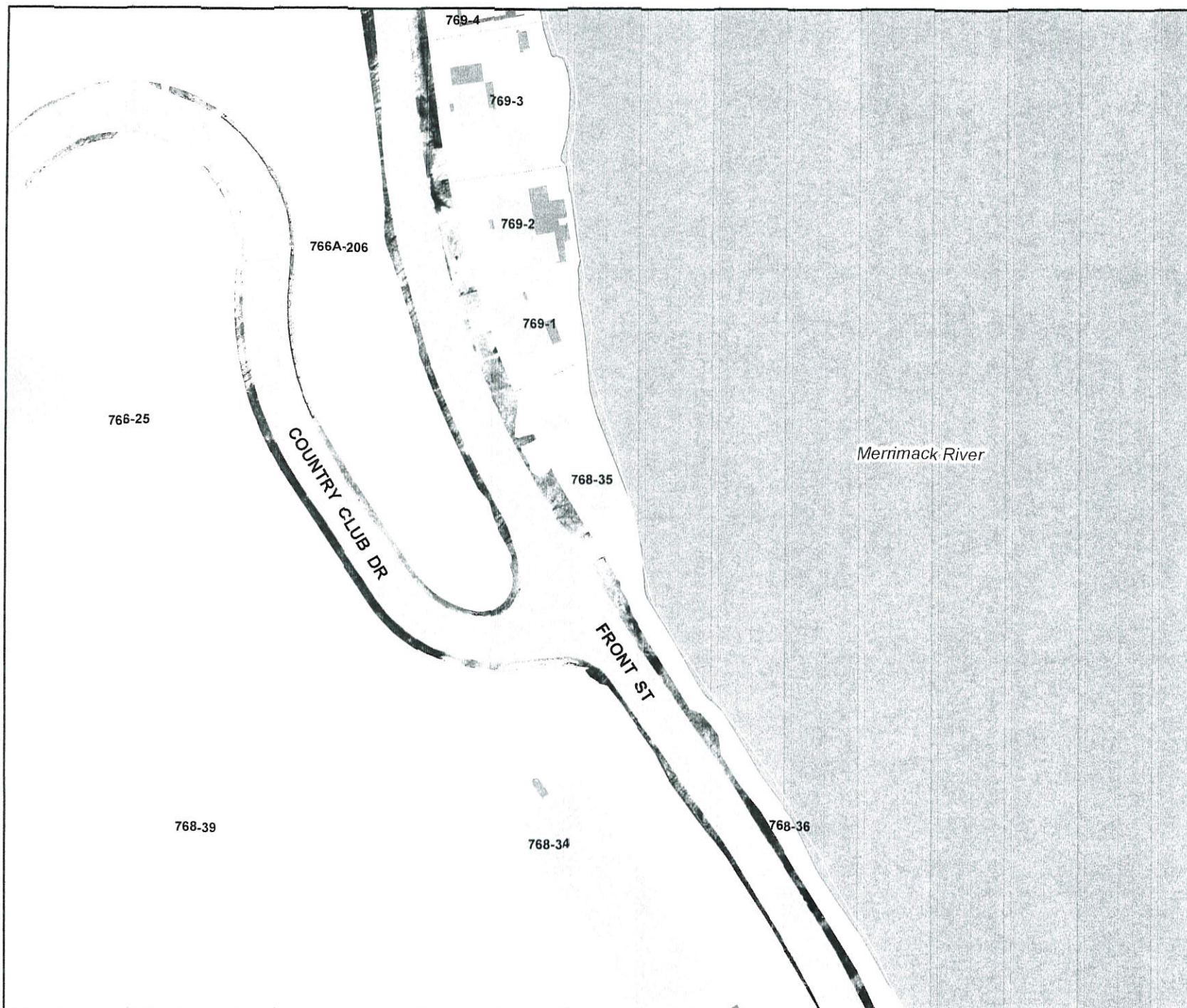
Area Map Showing Extent Of Map At Left

SEP 21 2020



DISCLAIMER

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0 37.5 75 150 Feet

1345 FRONT ST

Location 1345 FRONT ST

Mblu 0768/ / 0035/ /

Owner KOCHANEK, KIRSTIN B

Assessment \$259,800

Building Count 1

Current Value

Assessment	
Valuation Year	Total
2019	\$259,800

Owner of Record

Owner KOCHANEK, KIRSTIN B
Co-Owner

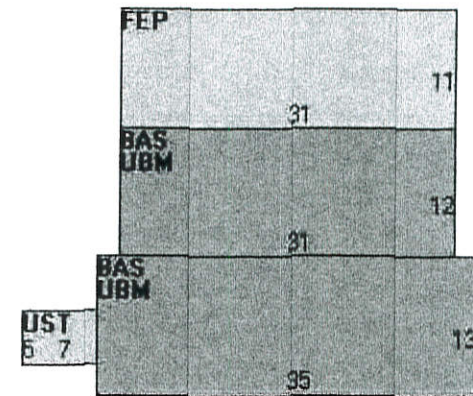
Sale Price \$0
Certificate
Book & Page 9069/2685
Sale Date 05/04/2018
Instrument 38

Ownership History

Ownership History

Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Forced Hot Air
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Rooms:	4
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	01
Cndtn	
Usrflid 103	
Usrflid 104	
Usrflid 105	
Usrflid 106	
Usrflid 107	
Num Park	
Fireplaces	
Usrflid 108	
Usrflid 101	
Usrflid 102	
Usrflid 300	
Usrflid 301	

Building Layout



(http://images.vgsi.com/photos/ManchesterNHPhotos//Sketches/24290_2

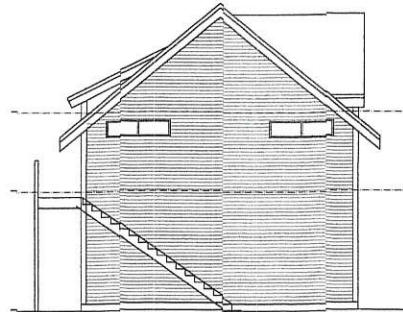
Building Sub-Areas (sq ft)			
Code	Description	Gross Area	Living Area
BAS	First Floor	827	827
FEP	Porch, Enclosed, Finished	341	0
UBM	Basement, Unfinished	827	0
UST	Utility, Storage, Unfinished	35	0
		2,030	827



FRONT ELEVATION
SCALE: 3/16" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"

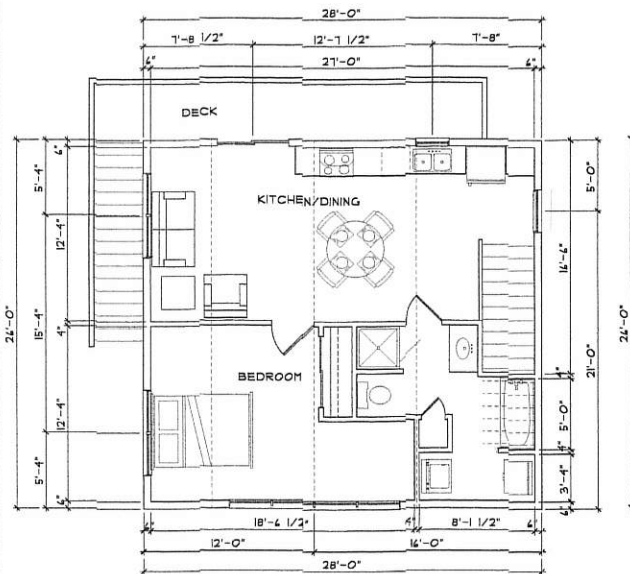


LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0"

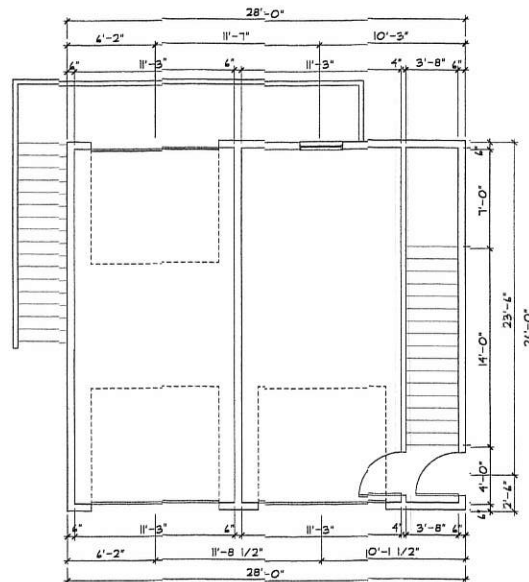


REAR ELEVATION
SCALE: 3/16" = 1'-0"

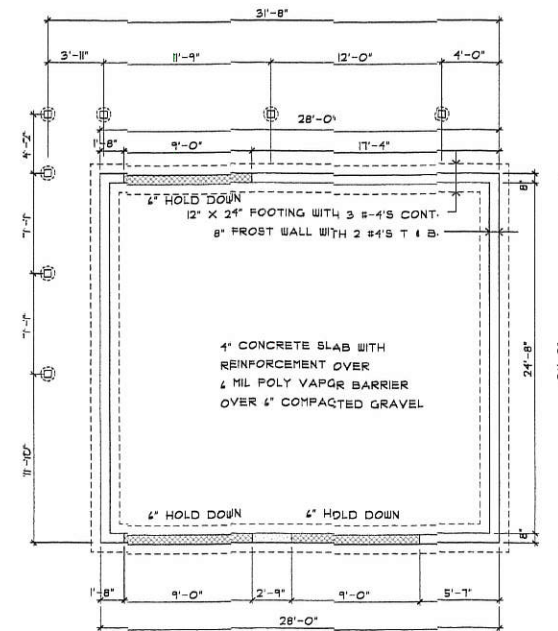
NOTE: HANDRAILS AND RAILINGS OMITTED FOR CLARITY.
HANDRAILS WILL BE 34" HIGH AND RAILINGS WILL BE 42" HIGH.



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION OF REVISION	DATE

THE KOCHANER RESIDENCE
FRONT STREET
MANCHESTER, NEW HAMPSHIRE

Gleason Architects
P.O. BOX 586
STRATHAM, NEW HAMPSHIRE 03885
603.772.7370

ARCHITECT

ENGINEER
DATE: 09/17/20
PROJECT NO. 232052
SHEET NO.

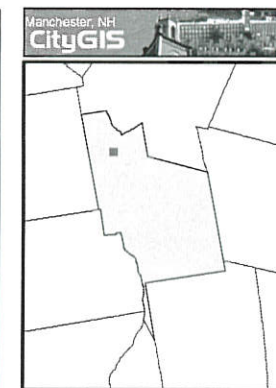
A-1

OF SHEETS

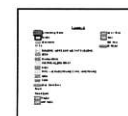
PLAN 509-39



Photographs may show modified

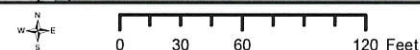


Area Map Showing Extent Of Map At Left



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Property Location 1345 FRONT ST
Vision ID 24290

Account # 19889105

Map ID 0768 / 0035 /

Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 1 of 1

State Use 1013
Print Date 9/21/2020 12:54:55 P

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				<div>2017</div> <div>MANCHESTER, NH</div> <div style="font-size: 2em; font-weight: bold;">VISION</div>
KOCHANEK, KIRSTIN B 1345 FRONT ST MANCHESTER NH 03102		1 Suitable	2 Public Water	1 Paved	1 Urban	Description	Code	Appraised	Assessed	
			6 Septic		1 Riverfront	RESIDNTL	1013	111,900	111,900	
				RES LAND	1013	146,200	146,200			
		SUPPLEMENTAL DATA				RESIDNTL	1013	1,700	1,700	
		Alt Prcl ID Land Adjus NO Voided NO Total SF 10085 Zone Frontage/D No GIS ID 768-35				RAD OR C CAD = 643 Callback Lt Sketch Not Land Class R Parcel Zip 03102 Assoc Pid#				
						Total		259,800	259,800	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)									
KOCHANEK, KIRSTIN B KOCHANEK, KIRSTIN B 603 LAXFIT LLC SULLIVAN, EUGENE FAMILY TR SULLIVAN, EUGENE A		9069	2685	05-04-2018	U	I	0	38	Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed
		9065	1337	04-16-2018	U	I	0	38	2019	1013	111,900	2018	1013	111,900	2017	1013	41,900
		9016	1767	10-13-2017	U	I	82,000	81		1013	146,200		1013	146,200		1013	87,700
		8728	1040	12-18-2014	U	I	4,000	38		1013	1,700		1013	1,700		1013	1,700
		0	0				0		Total		259800	Total		259800	Total		131300

EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor			
Year	Code	Description	Amount	Code	Description	Number	Amount				
Total			0.00								

ASSESSING NEIGHBORHOOD			
Nbhd	Nbhd Name	B	Tracing
WF1			

NOTES			
UBM=DIRT;WATER PROBLEM ABUTTING RIVER BANK METAL SHED=NV			

BUILDING PERMIT RECORD								VISIT / CHANGE HISTORY						
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result
18-2590	06-18-2018	SD	SIDING	500		0		REMOVE EXISTING WOOD S Add landing. As per plan subm SUBSTANTIALY RECONSRU	05-01-2018	LP			05	Measur/ BP Or UC
18-1522	04-18-2018	DK	DECK	1,000		0			06-14-2011	RK			99	Field Review Change
17-4449	10-03-2017	AD	Addition	75,000	05-01-2018	100			10-20-2006	DC	01	1	00	Meas & Int Insp.
									08-10-2006	CN			41	Hearing Change
									12-14-2005	DI			00	Meas & Int Insp.
									10-09-2000	CP			02	2nd Visit Not Home
									08-11-2000	JR			01	Meas/Int Estimate

LAND LINE VALUATION SECTION																
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value	
1	1013	SFR WATER			10,085	SF	6.74	1.00000	1	1.00	WF1	2.150		1.0000	14.5	146,200
Total Card Land Units					0.232	AC	Parcel Total Land Area					0.2315	Total Land Value			146,200

Property Location 1345 FRONT ST
Vision ID 24290

Account # 19889105

Map ID 0768 / 0035 /
Bldg # 1

Bldg Name
Sec # 1 of 1

Card # 1 of 1

State Use 1013
Print Date 9/21/2020 12:54:57 P

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	01	Ranch			
Model	01	Residential			
Grade:	03	Average			
Stories:	1	1 Story			
Occupancy	1				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asphalt			
Interior Wall 1	05	Drywall			
Interior Wall 2					
Interior Flr 1	21	Laminate			
Interior Flr 2					
Heat Fuel	03	Gas			
Heat Type:	04	Forced Hot Air			
AC Type:	01	None			
Total Bedrooms	02	2 Bedrooms			
Total Bthrms:	1				
Total Half Baths	1				
Total Xtra Fixtrs					
Total Rooms:	4				
Bath Style:	02	Average			
Kitchen Style:	02	Average			
MHP					

CONDO DATA			
Parcel Id		C	Owne
		B	S
Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			
COST / MARKET VALUATION			
Building Value New		141,686	
Year Built		1937	
Effective Year Built		1995	
Depreciation Code		EX	
Remodel Rating			
Year Remodeled			
Depreciation %		21	
Functional Obsol		0	
External Obsol		0	
Trend Factor		1	
Condition			
Condition %		79	
Percent Good		111,900	
RCNLD			
Dep % Ovr			
Dep Ovr Comment			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
FGR3	GARAGE-PO	L	260	22.00	2016		30		0.00	1,700

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	827	827	827	114.63	94,801
FEP	Porch, Enclosed, Finished	0	341	239	80.34	27,397
UBM	Basement, Unfinished	0	827	165	22.87	18,914
UST	Utility, Storage, Unfinished	0	35	5	16.38	573
Ttl Gross Liv / Lease Area		827	2,030	1,236		141,685

